IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.2803 of 2005.
IN
FIRST APPEAL ST.NO.11987 OF 2005.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri J.Xavier for the Applicant.
Shri S.P.Triveri i/by M/s.A.Bharat & Co. for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 29th MARCH, 2006.

P.C.:

1. Heard the learned Advocate appearing for the parties. The Application for condonation of delay is strongly opposed by the Respondent. I have perused the averments made in the application and the additional affidavit. I have also perused the affidavit-in-reply.

2. A case is made out for condonation of delay subject to the Applicant paying costs to the Respondent. Accordingly the application is allowed in terms of prayer clause (a) subject to the condition that the Applicant will pay costs of Rs.3500/- to the Respondent within a period of four weeks from today.

Judge.